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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,080	12/28/2000	Cary Lee Bates	ROC920000165US1	5026
7590 07/08/2004 IBM Corporation- Department 917 3605 Highway 52 North Rochester, MI 55901-7829			EXAMINER KANG, PAUL H	
			ART UNIT 2141	PAPER NUMBER

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/751,080

Applicant(s)

BATES

Examiner

Paul H Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8, 10-13, 15-17, 19-22 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8, 10-13, 15-17, 19-22 and 24-26 is/are rejected.
- 7) ☐ Claim(s) 5, 9, 14, 18, 23 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-8, 10-13, 15-17, 19-22 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haneda et al., US Pat. No. 6,349,328 B1, in view of Meek, US Pat. App. Pub. No. 2002/0095464, A1.

2. As to claims 1, 10, and 19, Haneda teaches the invention substantially as claimed. Haneda teaches an electronic mail system, method and computer program product of displaying electronic mail messages, comprising sorting a for sorting sent or received mail utilizing user-defined sort criteria including at least one criterion which is not alphabetic, chronological (Meek, col. 1, line 39 – col. 2, line 43 and col. 7, lines 11-44).

However, Haneda does not explicitly teach a system, method and computer program product of displaying electronic mail messages, comprising sorting a plurality of messages utilizing user-defined sort criteria including based on a previous viewing of corresponding messages.

In the same field of endeavor, Meek teaches a system, method and computer program product of displaying electronic mail messages, comprising sorting a plurality of messages

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utilizing user-defined sort criteria including at least one criterion which is not alphabetic, chronological, or based on a previous viewing of corresponding messages (Meek, paragraphs 0001-0010 and 0034-0036); ordering the plurality of messages according to the user-defined sort criteria (Meek, 0034-0036); and displaying the plurality of messages in the order specified by the user-defined sort criteria (Meek, paragraphs 0001-0010 and 0034-0036).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the sorting and displaying as taught by Meek into the sorting system of Haneda for the purpose of providing additional sorting techniques.

3. As to claims 2, 11 and 20, Haneda-Meek teach the system, method and computer program product wherein the step of sorting a plurality of messages utilizing user-defined sort criteria including at least one criterion which is not alphabetic, chronological or based on a previous viewing of corresponding messages further comprises sorting the plurality of messages based on a user-defined prioritization of a sender's address for each message (Meek, paragraphs 0001-0010 and 0034-0036).

4. As to claims 3, 12 and 21, Haneda-Meek teach the system, method and computer program product wherein the step of sorting the plurality of messages based on a user-defined prioritization of a sender's address for each message further comprises comparing a sender's address for each message to a ranked list of sender's addresses (Meek, paragraphs 0001-0010 and 0034-0036).

5. As to claims 4, 13 and 22, Meek teaches the system, method and computer program product wherein the step of comparing a sender's address for each message to a ranked list of

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sender's addresses further comprises comparing the sender's address for each message to a ranked list of senders' addresses including a set of fixed entries specified by a user and a set of dynamic entries containing addresses selected from historical message tracking information based on rules specified by the user (Meek, paragraphs 0007-0010 and 0034-0036).

6. As to claims 6, 15 and 24, Haneda-Meek teach the system, method and computer program product wherein the step of ordering the plurality of messages according to the user-defined sort criteria further comprises ordering the messages according to the ranking (Meek, paragraphs 0007-0010 and 0034-0036).

7. As to claims 7, 16 and 25, Haneda-Meek teach the system, method and computer program product wherein the step of sorting comprises comparing a sender's address within each message to addresses specified by a user (Meek, paragraphs 0007-0010 and 0034-0036).

8. As to claim 8, 17 and 26, Haneda-Meek teach the system, method and computer program product wherein the step of sorting further comprises comparing a sender's address within each message to addresses selected from a historical tracking of previous messages based upon rules specified by a user (Meek, paragraphs 0034-0036).

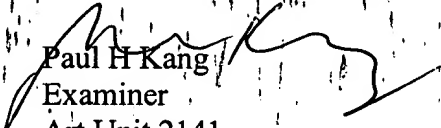
*Allowable Subject Matter*

9. Claims 5 and 9, 14, 18, 23 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Paul H Kang  
Examiner  
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